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HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 2546 of 2007

PETITIONER : Choman Lal Khutail Aged about 41 year, Asstt. Teacher S/o Shri Vijay Singh Khutail Quarter No.- 17/A, Railway Colony Bhilai-3, Distt.-Durg (C.G.)

VERSUS

RESPONDENTS : 1. State Govt. of Chhattisgarh, Through Secretary, Educational & Tribal Department, D.K.S. Bhawan, Raipur (C.G.)

2. District Education Officer, Durg, District-Durg (C.G.)

3. Block Education Officer Gunderdehi, Distt.- Durg (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

S.B. : HON'BLE JUSTICE SHRI SATISH K. AGNIHOTRI

Present: Shri Jitendra Gupta, Advocate for the petitioner.
Shri Arvind Dubey, Panel Lawyer for the State / respondents.

ORDER

(Passed on 26th day of April, 2007)

1. Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to

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verification of the fact as to whether the petitioners have acquired B.Ed. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash